On motion of Senator Douglass of

Grayson,

The Senate adjourned till to-morrow morning at 10 o'clock, by the following vote:

### YEAS-20.

Abercrombie, Houston, Allen, Jarvis. Bell. Knittle. Burges, Lane. Calhoun, McDonald, Camp, MacManus, Davis, Pope, Douglass of J, Stinson, Douglass of G. Woods. Woodward. Garrison, NAYS-9.

Armistead. Burney, Claiborne, Field.

Glasscock, Gregg, Harrison. Simkins.

Frank. Terrell,

ABSENT-2. Upshaw.

## SIXTY-FIFTH DAY.

SENATE CHAMBER, AUSTIN, March 26, 1887.

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot. On motion of Senator Armistead,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Douglass of Grayson,

Senator Douglass, of Jefferson, was excused until Tuesday on account of important business.

On motion of Senator Bell,

Senator Harrison was excused for the day on account of important busi

On motion of Senator Woods,

Senator Glasscock was excused for to-day on account of important busi

## SENATOR GLASSCOCK

Moved to have the Journal corrected to show that he "made a motion to take up Senate bill No. 145, and said motion was lost."

(Journal corrected.)

## PETITIONS AND MEMORIALS.

## BY SENATOR HOUSTON:

"Petition of Messrs. Formwalt, Baylor and Odom."

Referred to Committee on Finance.

## BILLS AND RESOLUTIONS.

### BY SENATOR WOODWARD:

"Resolved, That two thousand extra copies of the journal, containing memorial services, printed as a supplement to the regular Senate journal, be printed for the use of the Twentieth Legislature."

Adopted.

## REPORTS OF STANDING COM-MITTEES.

#### BY SENATOR TERRELL:

COMMITTEE ROOM. Austin, March 24, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir-Your Judiciary Committee No. 1. to whom was referred Senate bill No. 56, entitled:

A bill to be entittled:

"An act to provide for the record of executions under which land is sold, and to provide for the introduction of copies of such record as evidence in the event of the loss or destruction of the original," have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass with the accompanying amendments.
TERRELL, chairman.

Bill read first time.

Committee amendments to Senate bill No. 56:

1. After word "executions," in caption, add the words "orders of sale and writs of venditioni exponas.

2. Strike out all after word "that" in line 11, down to and including the word "original," in line 15, and insert in lieu thereof the word "any."

3. After word "execution," in line

15, add the words "order of sale or writ of venditioni exponas, under which land has been or may hereafter be sold."

> COMMITTEE ROOM, Austin, March 23, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir-Your Judiciary Committee No. 1, to whom was referred Senate bill No. 315, entitled:

"An act for the benefit of volunteer fire companies," have had the same under consideration, and instruct me to report it back to the Senate with the accompanying substitute, and to recommend that the substitute do pass.

All of which is respectfully submitted.

Bill and substitute read first time. TERRELL, chairman.

#### BY SENATOR BELL:

COMMITTEE ROOM, Austin, March 25, 1887.

Hon, T. B. Wheeler, President of the Senate:

Sir-Your Judiciary Committee No. 2, to whom was referred Senate bill

No. 348, entitled:

"An act to amend Article 199 of the of Criminal Procedure, Code have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully sub-

mitted.

Bell, chairmán.

Bill read first time.

On motion of Senator Frank.

Senate bill No. 342,

"An act to prescribe the time of hold ing court in the twenty-ninth judicial district," was taken up read second time and ordered engrossed.

On motion of Senator Frank,

The constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote:

YEAS-23.

Abercrombie. Gregg, Allen, Houston, Armistead, Jarvis, Bell, Lane. MacManus. Burney, Calhoun, Pope. Camp, Simkins, Terrell, Davis, Douglass of J. Upshaw, Field, Woods, Frank, Woodward. Garrison,

NAYS-none,

## ABSENT-5.

Burges, Claiborne, Knittle,

McDonald. Stinson.

The bill was read third time and passed.

On motion of Senator Jarvis, Senate bill No. 329,

(A judicial district bill) was taken up with a House amendment.

On motion of Senator Terrell,

amendment by the following vote:

# YEAS-24.

Abercrombie. Garrison, Gregg, Allen, Armistead, Houston, Bell, Jarvis. Burney, Knittle. Calhoun, Lare, Camp, MacManus, Claiborne, Simkins, Terrell, Davis, Douglass of G, Upshaw, Woods. Field, Frank, Woodward.

NAYS-none.

### ABSENT-4.

Burges, McDonald,

Pope. Stinson.

The following message was received from the House:

HOUSE OF REPRESENTATIVES. Austin, March 26, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir-I am instructed by the House to inform the Senate that Messrs. Humphreys of Wise, Bransford and Jones have been a ppointed as a free conference committee upon the part of House on the disagreement existing between the two houses on House bill No. 90,

"An act establishing the manner of ascertaining the boundaries of counties, and repealing all laws and parts of laws in conflict with this act."

WILL LAMBERT. Chief Clerk House of Representatives.

The Journal of yesterday should show that

## THE PRESIDENT

Gave notice of signing

Substitute House bill No. 75.
"An act to amend the charter of the city of Galveston by amending sections 2, 3, 14, 19, 23, 54, 116, 121 and 127 thereof by adding thereto sections 73a, 96a, 131a and 122a.

And

House bill No. 330.

"An act to amend Article 1512 chapter 1, title 31 of the Revised Civil Stat-tutes of the State of Texas."

And

House bill No. 211.

"An act to amend Articles 4604 and 4605, title 93, chapter 4 of the Revised The Senate concurred in the House Statutes of the State to provide for preventing certain animals from running at large in counties and subdivisions."

House bill No. 130.

"Act to amend Article 431, chapter 3, title 7, Code of Criminal Procedure of 'an act to adopt and establish a Penal Code and a Code of Criminal Procedure of the State of Texas passed February 21, 1879'"

And,

House bill No. 256.

"An act to compel railroad companies to provide double deck cars for shipment of goats, sheep, hogs and calves, and to prevent discrimination against shippers thereof and to provide penalties therefor "

Senate joint resolution No. 26.

"Joint resolution to amend Article 5, of the Constitution" was laid before the senate as unfinished business with an amendment by Senator Pope and an amendment by Senator Harrison pending.

The amendment was adopted.

### SENATOR POPE

Withdrew his amoudment.

## SENAS OR BURNEY

Moved to

Amend section 20, by striking out the word "six" in line 3, and insert therefor the word "four." Adopted.

## SENATOR CALHOUN

Moved to amend rection 20, in line 4, strike out the words for appointment."

Adopted.

### SENATOR LANE

Moved to amend by striking out of line 3, the words, "or a judge of a court of record therein." and by adding after the word "judge" in line 4, the words "of a court of record."

#### SENATOR ABERCROMBIE

Offered the following substitute for the amendment.

"Amend section 21, by striking out the words "or a judge of a court of record therein or such judge and law yer together."

Accepted.

The amendment as substituted was adopted.

## SENATOR FIELD

Moved to amend by adding after the Adopted.

word "voter," in line 1, section 21, the following: "And resident of the district."

Adopted.

#### SENATOR POPE

M oved to amend by fixing salary a \$3000.

Lost.

### FENATOR BURNEY

Moved to amend section 22 by striking out the words "twenty-five innared" and insert therefor "twenty-eight hundred."

Lost.

#### SENATOR POPE

Moved to add after the word "dollars," in line 2, the words "six bits." Lost.

SENATOR GREGG

Moved to

Amend by adding the following: "Provided, the salaries of such judges shall never exceed the salary of district judges."

Adopted.

## SENATOR CALHOUN

Moved to

Ameno section 29, line 4, by striking out the word, "criminal."

## SENATOR TERRELL

Spoke in opposition to, and

### SENATOR CALHOUN

In favor of the amendment. The amer dinent was lost. On mosion of Senator Burney, The vote adopting Senator Gregg's amendment, was reconsidered.

## SENATOR GREGG

Then withdrew his amendment.

Senator Burney moved to

Amend section 29 by striking out the words 'prescribed by law," in line 6, and insert therefor

"The same as for judges f the district court".

Adopted.

Senator Abercrombie moved to

Amend section 32 by adding after the word "jurisdiction," first occurring in said section, the word "qualification."

Senator Bell moved to

Amend by adding Article 28, which shall read as follows and change the other Articles to correspond:

"There shall be elected by the qualified voters of each county a sheriff, who shall hold his office for two years, whose duties and perquisites and fees of office shall be prescribed by the legislature, and vacancies in whose office shall be filled by the commissioners' court until the next general election for State and county officers."

Adopted.

#### SENATOR TERRELL

Moved to add section 6.

And it be further resolved,
"That the Governor be requested to
submit to the vote of the electors of
the State the foregoing proposed
amendment to the Constitution at an
election to be ordered on the first
Thursday in August A. D. 1887, in accordance with the provisions of Article
17, of the State Constitution."

#### SENATOR CALHOUN

Opposed And

SENATOR TERRELL

Favored the amendment.

## SENATOR CALHOUN

Offered the following amendment to the amendment:

"Strike out first Thursday in August, 1887," and insert "first Tuesday after the first Monday in November, 1888."

The amendment to the amendment was lost by the following vote:

## YEAS-4.

Allen, Armistead, Calhoun, Simkins.

## NAYS-22.

Abercrombie, Houston, Bell, Jarvis, Burney, Knittle, Camp, Lane, Claiborne, McDonald, Davis, MacManus, Douglass of G, Pope, Field, Terrell, Upshaw, Frank, Garrison, Woods, Gregg, Woodward.

# ABSENT-2.

Burges,

Stinson.

The amendment was adopted, "and the resolution ordered engrossed.

### THE PRESIDENT

Gave notice of signing the following bills:

Senate bill No 141.

"An act to diminish the civil jurisdiction of the county court of Brazos county, and to conform the jurisdiction of the district court of said county to such changes."

Senate bill No. 291.

"An act to authorize any city or town in this State to compremise existing indebtedness and to issue new bonds to be sold or exchanged for this purpose and to provide for the efficient collection of taxes to pay the principal and interest of such new bonds and to provide for the appointment of receivers for said municipal corpora ions during the pendency of negotiations for such compromise."

By leave the following reports were

sent up.

COMMITTEE ROOM, AUSTIN, March 26, 1887.

Hon. T. B. Wheeler, President of the Secate:

Sir—Your Committee on Agricultural Affairs, have had under consideration the message from his excellency, Gevernor L. S. Ress, in regard to the Cotten States' Agricultural Field Contest for 1888, and beg leave to report the same back favorably, and do request his excellency, the Governor, to issue his proclamation, asking the people of Texas to lend their hearty cooperation, and set forth fully the advantages of such co-operation.

All of which is respectfully submit-

ALLEN, chairman.

On motion of Senator Allen, The report was adopted.

### BY SENATOR BELL:

COMMITTEE ROOM, AUSTIN, March 26, 1887.

Hon, T. B. Wheeler, President of the Senate and Hon. Geo. C. Pendleton, Speaker of the House of Representatives;

Sirs—Your committee of free conference appointed to consider the differences between the two houses on House bill No. 31, the same being entitled:

"An act to require railroads to pay

their employes promptly, and prescribing a penalty for failure to so pay them," respectfully beg leave to represent that we have had the same under consideration, and have agreed upon the following amendments which we herewith submit with the recommendation that both Houses do concur in the same.

All of which is respectfully submit-

ted.

HARRISON,
GLASSCOCK,
BELL,
Senate committee.
PRENDEGAST,
GROCE,
SHOWALTER,
House committee.

### AMENDMENT.

"Strike out all of the bill after the enacting clause and insert in lieu there-

of the following:

Whenever any railroad company shall discharge any employe or whenever the time of service of any exploye of a railrord company shall expire, or whenever any railroad company shall be due and owing any employe, such railroad company, upon such discharge or upon the termination of the term of such service, or upon the maturity of such indebtedness, shall, within fifteen days after demand therefor upon the nearest station agent of such railroad company, pay to such employe the full amount due and owing him, and in case such railroad company fails or refuses to pay such emplove, then it shall be liable to pay to such employe twenty per cent on the amount due him as damages in addition to the amount due; in no case the damages to be less than five nor more than one hundred dollars."

On motion of Senator Lane, The report was adopted.

## BY SENATOR HOUSTON:

COMMITTEE ROOM, AUSTIN, March 26, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir—A minority of your Committee on Counties and County Boundaries, to whom was rereferred House bill No. 604, entitled:

"An act to organize Encinal county, and to define the boundaries thereof," have considered the same, and beg leave to dissent from the majority of your committee, who have made an

unfavorable report on the bill, and recommend that the bill do pass.

All of which is respectfully submitted.

HOUSTON, for minority

#### BY SENATOR FRANK:

COMMITTEE ROOM. AUSTIN, March 26, 1887.

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 342, being

"An act to prescribe the time of holding court in the twenty ninth judicial district," and find the same correctly engrossed.

FRANK, chairman.

#### BY SENATOR FIELD:

COMMITTEE ROOM. AUSTIN, March 26, 1887.

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 141, being

"An act to diminish the civil jurisdiction of the county court of Brazos county, and to conform the jurisdiction of the district court of said county to such change," and find the same correctly enrolled, and have this day, at 12 o'clock m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, A AUSTIN, March 25, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 149, being,

"An act to diminish the civil and and criminal jurisdiction of the county courts of Orange, Concho, Tyler, Greer and Mason counties and to conform the jurisdiction of said counties to such change," and find the same correctly enrolled, and have this day, at 12 o'clock m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM,

Austin, March 26, 1887.

Hon. T B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 232, being.

leave to dissent from the majority of An act to amend Article 358, of your committee, who have made an chapter 3, title 11, of the Penal Code

of the State of Texas," and find the same correctly enrolled, and have this day, at 12 o'clock m., prethis day, at 12 o'clock m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM. AUSTIN, TEXAS, March 26, 1887. Hon. T. B. Wheeler, President of the Senate

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 291, being,

"An act to authorize any city or town in this State to compromise existing indebtedness, and to issue new bonds to be sold or exchanged for this purpose; and to provide for the efficient collection of taxes to pay the principal and interest of such new bonds, and to provide for the appointment of receivers for such muncipal corporations during the pendency of negotiations for such compromise," and find the same correctly enrolled, and have this day, at 12 o'clock m., presented the same to the Governor for his signature.

FIELD, chairman.

The following message was received from the House:

> HOUSE OF REPRESENTATIVES, } AUSTIN, March 26, 1887.

Hon. T. B. Wheeler, President of the Senate.

Sir—I am instructed by the House to inform the Sevate that the House has passed the following bills:

Senate bill No. 250:

"An act to amend chapter 4, title 29, of the Revised Civil Statutes of the State of Texas, by adding Article 1199a with amendments."

Senare bill No. 188:

act to amend 'an act Article 4761. of the  ${
m Re}$ vised Civil Statutes of the State of Texas," approved April 24, 1879, with amendments, and by a two-third vote, ayes 75, nays 1,

House bill No. 589.

'An act to amend Article 503, chapter 3, title 15, of the Penal Code, of the State of Texas," by a two-third vote aves 86.

House bill No. 601.

'An act to provide for the appointment by the Governor of a financial agent for the lunatic, blind and deaf and dumb asylums, and to prescribe his duties and fix the salary of said official"

Senate bill No. 259,

"An act to amend an act passed by a "At which election all voters favor-the regular session of the Nineteenth ing said proposed amendment shall

Legislature entitled 'an act to amend section 9 of an act to redistrict the State into judicial districts, and to fix the time for holding court therein, and to provide for the elections of judges and district attorneys at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' passed at the regular session of the Eighteenth Legislature."

Senate bill No. 306,

"An act to amend 'an act entitled an act to redistrict the State into judicial districts, and to provide for the election of judges and district attorneys of said district at the next general election, to be held on the first Tuesday after the first Monday in November, 1889, approved April 9, 1883." Seuate bill No. 290,

"An act amendatory of and supplimentary to an act entitled 'an act to incorporate the city of Galveston and to grant a new charter,' approved Augu-12, 1876, and amended April 5, 1881, March 7, 1883, and February 26, 1885, by adding thereto title No. 13, authorizing the construction of sea walls and break waters and, for that purpose authorizing the exercise of the right of eminent domain, the issnance of bonds and the levy of a tax and granting in aid of said works certain rights and privileges in and to the land upon the gulf shore opposite said city from the southwest corner of the city league to the east end of Galveston island, with amendments and by a two-third vote—ayes 71.

Also,

That the House insists on its amendments to

Senate bill No. 71,

'An act to protect stockraisers, providing for the destruction of wolves, etc.," asks for a free conference committee, and that Messrs. Browning, Shield and Baylor have been appointed as such committee upon the part of the House.

WILL LAMBERT, [Chief Clerk House Representatives.]

On motion of Senator Claiborne, Senate joint resolution No. 25:

"Resolution to amend Article 2, sectiod 9, of the Constitution of the State of Texas," was taken up and read second time with favorable report.

## SENATOR CLAIBORNE

Offered the following amendment:

write on their ballots the words, "For Bell, the anendment," and those opposed to said amendment shall write on their ballots "against the amendment."

Adopted.

### SENATOR CLAIBORNE

Moved to

Amend the caption by striking out "2" and "9" and add "9 and subdivision 2, section 1." Adopted.

#### SENATOR HOUSTON

Moved to

Amend by striking out the word "seven" and insert the word "six," in line 2 of section 2.

SENATORS CLAIBORNE, WOODS AND SIMKINS

Opposed, and

#### SENATORS LANE AND HOUSTON

Favored the amendment.

The amendment was lost.

The Senate refused to engross the joint resolution by the following vote:

## YEAS-7.

MacManus Bell. Woods, Claiborne, Davis, Woodward. Lane,

NAYS-16.

Allen, Garrison, Gregg, Houston, Armistead, Burney, Calhoun, Jarvis, Camp, Douglass of G, Knittle McDonald, Field. Simkins, Frank. Upshaw.

## ABSENT-5.

Abercrombie, Stinson, Terrell, Burges, Pope,

SENATOR UPSHAW

Moved to suspend the constitutional rule and place substitute Senate bill No. 315 on its second reading. Lost by the following vote:

## YEAS-19.

Abercrombie, 7.55 Garrison, Gregg, Allen, Armistead, Jarvis,

Knittle. Burney. MacManus. Calhoun, Simkins, Čamp, Terrell. Douglass of G, Upshaw, Woodward. Field, Frank,

NAYS-5.

Davis, Houston, Lane,

McDonald, Woods.

ABSENT-4.

Burges, Claiborne,

Pope, Stinson.

On motion of Senator Bell, The Senate concurred in the House amendments to

Senate bill No. 117,

"An act to amend Articles 3227, 3228, 3229, 3230, 3233, 3234, 3236 and 3238, of title 63, of the Revised Civil Statutes of the State of Texas, and add Article 3239a to said title."

On motion of Senator Woods, The Senate concurred in House

amendments to

Senate bill No. 188, 'An act to amend an act to amend Article 4761, of the Revised Civil Statutes of the State of Texas, approved April 24, A D. 1879."

On motion of Senator Bell,

The Senate concurred in House amendments to

Senate bill No. 250.

"An act to amend chapter 4, title 29, of the Revised Civil Statutes of the State of Texas by adding thereto Artitle 1199a.

On motion of Senator Burney, The Senate concurred in House amendments to

Senate bill No. 290.

"An act amendatory of and supplementary to an act entitled 'an act to incorporate the city of Galveston, and to grant a new charter,' approved August 2, 1876, and amended April 5, 1881, March 7, 1883 and February 26, 1885,' by adding thereto title No. 18, authorizing the construction of sea walls and breakwaters, and for that purpose authorizing the exercise of the right of eminent domain, the issuance of bonds and the levy of a tax, and granting in and of said works certain portions of the public domain, and certain rights and privileges in and to the land upon the gulf shore opposite said city, and from the line of ordinary high tide to the eight-foot curve under the waters of the gulf.

On motion of Senator Houston,

The Senate refused to concur in House amendments to

Substitute Senate joint resolution

No. 3:

"Proposing the submission of an amendment to section 12, Article 8, of the Constitution of the State of Texas,'

On motion of Senator Davis. Substitute Senate bill No. 247,

Was made the special order for Monday morning after morning call.

#### THE PRESIDENT

Referred

House bill No. 589, To Judiciary No. 1, And.

House bill No. 601,

To Committee on Asylums. On motion of Senator Frank, Senate joint resolution No. 13,

"Amending section 4, Article 7, of the Constitution of the State of Texas," taken up and read second time.

#### SENATOR GREGG

Moved to

Amend by striking out the words, "by all the number elected to," line 9, and insert word "of."

Adopted.

The resolution was ordered grossed.

On motion of Senator Burney, Senate joint resolution No. 17,

"Joint resolution to amend section 4, Article 6, of the Constitution of the State of Texas, providing for the registration of voters in cities of ten thousand inhabitants or more." was taken up, read second time and ordered engrossed.

On motion of Senator Simkins,

Senate bill No. 274, "An act to amend Article No. 2625, in title 48 of chapter 1, of the Revised Civil Statutes of the State of Texas," was taken up read second time and ordered engrossed.

On motion of Senator Armistead,

Senate bill No. 282,

'An act to amend Articles 67, 68, 68a, 72, 75, 79, and 80, chapter 1, title 8, the Revised Civil Statutes, relating to asylums."

### SENATOR ARMISTEAD

Offered a substitute for the bill the caption of which is as follows:

'An act to amend an act to amend Articles 66, 67, 68, 70, 71, 72, 73, 74, 80 and 97, of an act entitled 'an act to adopt

and establish the Revised Civil Statutes of the State of Texas, passed March 17, 1879, and to amend Articles 75 and 79 of the Revised Civil Statutes of the State of Texas, as amended on April 18, 1879, and to add Article 68a relating to asylums."

On motion of Senator Armistead, The substitute was adopted and or-

dered engrossed.

#### THE PRESIDENT

Appointed Senators Burney, Allen and Garrison as a conference committee on Senate bill No. 71, (known as the wolf scalp bill.

On motion of Senator Lane,

The Senate adjourned till 10 o'clock Monday morning.

#### SIXTY SIXTH DAY.

SENATE CHAMBER, Austin, March 28, 1887.

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain.

On motion of Senator Armistead, The reading of the Journal of yes-

terday was dispensed with.

On motion of Senator Woods,

Senator Allen was excused for two days on account of important business.

On motion of Senator Douglass, of

Greyson,

Senator Upshaw was excused for four days on account of sickness.

### BILLS AND RESOLUTIONS.

## BY SENATOR ABERCROMBIE:

By request:

A bill to be entitled:

"An act ta amend section 24, of an act incorporating the city of Houston, Harris county, approved April 21. 1879."

Referred to Judiciary Committee No. 1.

REPORTS OF STANDING COM-MITTEES.

## BY SENATOR CAMP:

COMMITTEE ROOM, AUSTIN, March 28, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on "Rules," to